

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DONELLE MURPHY,

Petitioner,

-v.-

WARDEN OF ATTICA
CORRECTIONAL FACILITY,

Respondent.
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GABRIEL W. GORENSTEIN, United States Magistrate Judge

The Court previously issued an order directing petitioner to address “the application of the Rhines [v. Weber, 544 U.S. 269, 277-78 (2005)] standard” to his request for a stay of his petition. Order, filed May 24, 2021 (Docket # 36), at 3. The Order directed petitioner to make his filing by June 11, 2021. See id. A letter from petitioner in response to this Order was docketed on June 21, 2021. See Letter from Petitioner, filed June 21, 2021 (Docket # 37). The text of the letter indicates that it was written on June 14, 2021. See id. at 2.

While petitioner’s letter was untimely, the Court will accept it. The respondent is directed to submit a filing by July 7, 2021, that addresses petitioner’s request for a stay in full. The filing should apply the Rhines standard and may address any other issues the respondent believes were raised by petitioner’s letter.

SO ORDERED.

Dated: June 23, 2021
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge

Copy sent to petitioner by Chambers at address on docket sheet